

REMARKS

This amendment is in response to the Office Action dated September 30, 2010. Claims 28, 34, 35, 37 and 41 – 43 are amended without prejudice to the subject matter involved. Claims 28, 29, 33 – 39 and 41 – 43 are in the application upon entry of this amendment; claims 33, 36, 38 and 39 stand withdrawn from consideration. Applicants reserve the right to pursue any cancelled or withdrawn subject matter in one or more continuing applications.

Claims 28, 29, 34, 35, 37 and 41 – 43 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully traverse this ground of rejection.

Applicants have amended the claims to address the Examiner's concern regarding perceived ambiguities. First, claims 28, 34 and 43 are amended with respect to the term "at present".

Applicants infer that the Examiner's reference to "unencapsulated material" was intended to refer to "encapsulated material". Although the original language is considered to be definite, to advance the prosecution, this term has been replaced by "encapsulated liquid" in claim 28; basis for which is found in the international application, page 28, line 26. Likewise "dispersed material" in claim 34 has been replaced by "liquid".

Likewise, although considered definite, the term "wall-forming material" in claim 43 has been deleted where it first occurs and, where it next occurs, has been replaced by the term "prepolymer". The term "material" is also amended similarly throughout the claims in order to maintain consistency.

Applicants respectfully submit that it is clear from the claim language of claims 28, 34 and 43 that the situation where X and Z form a cyclic anhydride is an alternative to the situation where X and Z take on definitions that have been given to them previously [e.g. where Z is quaternary ammonium]. Accordingly, the Examiner's objection is incorrect. Nevertheless, to advance the prosecution, amendments in each of these three claims are made to more clearly delineate the formation of cyclic anhydrides. Applicants aver that the claims now are in proper form.

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In view of the foregoing, Applicants contend that the claims are fully compliant with 35 USC § 112. The Examiner is requested to reconsider and to withdraw the § 112 rejections.

In view of the above amendments and remarks, Applicants submit that the present claims are allowable over the cited art. Withdrawal of all rejections is respectfully requested, along with issuance of a Notice of Allowance. Applicants invite the Examiner to telephone the undersigned attorney of record if the Examiner feels that the call will be beneficial to advance prosecution of the application.

Respectfully submitted,

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